

REMARKS/ARGUMENTS

The present remarks are in response to the final Office Action mailed on January 9, 2006. Claims 1-16 are pending in the present patent application. Claims 4, 8, 10, and 12-14 have been withdrawn from consideration. Claims 1-3, 5-7, 9, 11, 15 and 16 stand rejected.

4. Claims 1-3, 5-7, 9 and 11 stand rejected under 35 U.S.C. §112, ¶2 as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention

The term “reservoir means” was amended to read “reservoir” in order to address the Examiner’s rejection. The amendment adds no subject matter to the claims, and is clearly supported by the application, as filed. Accordingly, Applicants respectfully request that the Examiner reconsider the rejection of the above-identified claims.

6. Claims 1-3, 5-7, 9, 11, 15 and 16 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 2,327,192 to Keene (hereinafter “the Keene Patent”)

In rejecting the above claims, the Examiner noted:

Keene discloses razor body 5,7; reservoir means 15; interior area is disposed within reservoir means 15; finger-operated button actuator 9,23; non-dispensing position shown in figure 2; dispensing position is when actuator 9 is pressed; dispensing means 7,11; receptacle 15 is integral with razor body 5,7; manually depressible button 23; nozzle 7, 11; razor cartridge 14; method disclosed on page 2, lines 10-23; razor cartridge 14 is releasably mounted via element 13; shaving cream is available in gels and foams.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” See MPEP 2131 (*citing Verdegall Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Claims 1 and 15 are independent claims. Both are reproduced below, in their amended form, below:

1. A razor including a shaving aid applicator comprising:
 - a razor body;
 - a reservoir coupled to said razor body, said reservoir defining an interior area adapted to retain a quantity of shaving aid therein;

a finger-operated button actuator located on the razor body for selectively causing an amount of said shaving aid to flow out of said interior area upon movement between a non-dispensing position wherein said shaving aid is retained within said interior area, and a dispensing position whereby a portion of said quantity of shaving aid flows from said interior area; and

dispensing means for transferring said amount of shaving aid from said razor body onto a user's skin in response to movement of said actuator to said dispensing position.

15. A method for applying a shaving aid to a user's skin during a shaving operation, comprising the steps of:

providing a razor having a razor body, a razor cartridge having at least one razor blade mounted thereto, a reservoir containing a quantity of shaving aid therein coupled to the razor body, a finger-operated button actuator in communication with said reservoir for selectively causing an amount of said shaving aid to flow out of said reservoir upon movement of said actuator between a non-dispensing position wherein said shaving aid is retained within said interior area and a dispensing position wherein said shaving aid is allowed to flow out of said reservoir; and dispensing means for transferring said amount of shaving aid onto a user's skin in response to movement of said actuator to said dispensing position;

drawing said razor and thereby said at least one razor blade across a user's skin in a first shaving direction; and

moving said actuator between said non-dispensing and said dispensing positions while said razor blade is drawn across the user's skin to selectively apply a quantity of said shaving aid onto said user's skin.

Notably, both require a finger-operated button actuator in communication with the reservoir that, upon movement between a non-dispensing position and a dispensing position, shaving aid flows out of the reservoir and onto a user's skin during shaving.

The Applicant respectfully disagrees with the Examiner's rejection of the above-identified claims. The '192 patent does not disclose each and every element of the rejected claims.

The '192 patent is directed to a soap containing safety razor including a hollow handle screwed onto an inboard end of a nozzle. Figure 2 of the '192 patent is reproduced below for convenience. The nozzle includes a transversely disposed valve chamber in which a slide valve is mounted. The nozzle includes a transversely disposed valve chamber in which a slide valve is mounted. The nozzle also includes a blade holder coupled to an outboard end of the nozzle. The slide valve is provided with an annular reduced portion adapted to align with an opening in the nozzle through which shaving cream discharges through a hollow shank of the blade holder and onto a curved outer surface thereof. The slide valve is biased to a normally closed position by a spring disposed between an inner end of the slide valve and a closed end of the valve chamber. A sack containing shaving cream is mounted within the handle. One end of the sack is in fluid communication with the opening in the nozzle. A

sleeve, closed at one end, is positioned on the handle such that the handle can longitudinally move therein. A second valve is disposed in an end of the handle opposite the nozzle for regulating the flow of a gas between the handle and the sleeve. Longitudinal movement of the sleeve relative to the handle causes the second valve to open thereby pressurizing a cavity in the handle.

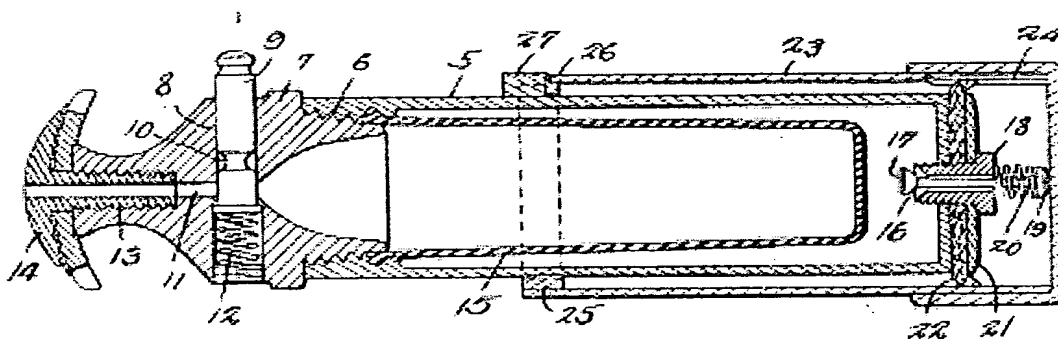


Fig. 2.

Unlike claims 1 and 15, the '192 patent does not disclose a finger-operated button actuator located on the razor body for selectively causing an amount of shaving aid to flow out of the interior area upon movement between non-dispensing and dispensing positions. Instead, the '192 patent illustrates a slide valve located in the nozzle that is used in combination with a sleeve. The two work in concert, movement of the sleeve increases pressure in the reservoir and movement of the valve permits pressurized shaving aid to pass therethrough when depressed. The system does not work without one or the other. For example, unless the sleeve is manipulated to add pressure to the reservoir, the valve is useless. Therefore, the '192 patent does not disclose a finger-operated actuator, as claimed.

Accordingly, Applicant submit that because the '192 patent fails to disclose each and every element of claims 1 and 15, these claims are not anticipated by the '192 patent. Favorable reconsideration of the present rejection in light of the above amendments and remarks is requested.

Claims 2-3, 5-7, 9, and 11, and claim 16 depend from independent claims 1 and 15, respectively, and therefore are also allowable over the cited prior art for at least the same reasons stated above with respect to claims 1 and 15, as well as by virtue of the additional limitations included therein.

7. Claims 1, 2, 7, 9, 11, 15 and 16 stand rejected under 35 U.S.C. §102(b) as being anticipated by U.S. Patent No. 4,177,556 to Galli, Jr. (hereinafter “the ‘556 patent”)

In rejecting the above claims, the Examiner noted:

Galli, Jr. discloses razor body 12,20; reservoir means 22; interior area is disposed within reservoir means 22; finger-operated button actuator 44,50; non-dispensing position shown in figure 2; dispensing position is when actuator 44,50 is pressed; dispensing means 18,32,34; receptacle 22 is integral with razor body 12,20; nozzle 32,34; razor cartridge 16; razor cartridge 16; method is disclosed in the abstract; razor cartridge 16 is releasably mounted in column 2, lines 11-15.

“A claim is anticipated only if each and every element as set forth in the claim is found, either expressly or inherently described, in a single prior art reference” See MPEP 2131 (citing *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987)).

Claims 1 and 15, in their current form, are reproduced above. Notably, both recite a reservoir. The Applicant respectfully disagrees with the Examiner’s rejection of the above-identified claims. The ‘556 patent does not disclose each and every element of the rejected claims.

The ‘556 reference is directed to a safety razor for a single edge type blade including a longitudinal passageway through the handle with a lateral slotted opening in the shaving head adjacent to the blade. The lower end of the handle is connected by flexible tubing to a water faucet which supplies water through the passageway. The water flows out of the lateral slotted opening across the blade to continuously lubricate the facial areas being shaved. An adjustable clamp on the tubing regulates the flow of water.

Unlike claims 1 and 15 of the present application, the ‘556 patent does not disclose a razor including a shaving aid applicator comprising a razor body, a reservoir couple to the razor body, wherein the reservoir defines an interior area adapted to retain a quantity of shaving aid therein. Instead, the ‘556 patent discloses a tube connecting the razor to a water supply. Based on the plain meanings of the terms “tube” and “reservoir,” a tube that is connected to a water supply, is not a reservoir. Accordingly, the ‘556 patent lacks at least a reservoir, as claimed.

Accordingly, Applicant submit that because the ‘556 patent fails to disclose each and every element of claims 1 and 15, these claims are not anticipated by the ‘192 patent.

Favorable reconsideration of the present rejection in light of the above amendments and remarks is requested.

Claims 2, 7, 9, and 11, and claim 16 depend from independent claims 1 and 15, respectively, and therefore are also allowable over the cited prior art for at least the same reasons stated above with respect to claims 1 and 15, as well as by virtue of the additional limitations included therein.

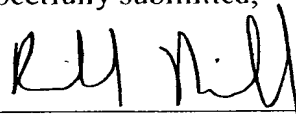
Summary

In summary, applicants have traversed each of the Examiner's rejection. Applicants therefore respectfully request that the rejections be withdrawn and the present application be passed onto allowance.

A check in the amount of \$1,020.00 is enclosed for payment for a three-month extension of time. No additional fees are believed to be due with the filing of the present Amendment and Response. However, if it is determined that fees are required, please charge our Deposit Account No. 503342, maintained by the Applicants' attorney.

Respectfully submitted,

By



Richard R. Michaud
Registration No. 40,088
Attorney for Applicant

Michaud-Duffy Group LLP
306 Industrial Park Road, Suite 206
Middletown, CT 06457-1532
(860) 632-7200